

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No.: 4:25-CR-79 HEA JMB
)	
GIOVANNI FALCON,)	
)	
Defendant.)	

**MEMORANDUM IN SUPPORT OF
GOVERNMENT'S MOTION FOR PRE-TRIAL DETENTION**

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Jillian S. Anderson, Assistant United States Attorney, and moves the Court to order Defendant detained pending trial pursuant to Title 18, United States Code, Section 3141, 3142(e) and (f)(2) *et seq.* Based on the charges in the Indictment and pursuant to Title 18, United States Code, Section 3142(e)(2) there is a rebuttable presumption that there are no conditions or combination of conditions that will reasonably assure the appearance of the Defendant and the safety of the community. As and for its grounds, the Government states as follows:

The Defendant has been indicted with one count of transferring obscene material to a minor in violation of 18 U.S.C. §1470, and one count of coercion and enticement of a minor in violation of 18 U.S.C. §2422(b). This offense involves mandatory imprisonment of a minimum of ten (10) years on Count II, and a maximum imprisonment of ten (10) years on Count I. As summarized below, there is strong evidence of the Defendant's interest in the sexual abuse of minors which

supports that he is a danger to the community. Further, upon information and belief, the Defendant is not lawfully present in the United States as he is undocumented and without legal authorization to be in the United States. Defendant Falcon is a citizen of the country of Mexico. For this reason, the Defendant is a flight risk if released from detention.

In a related case, cause no. 24SL-CR5297, presently pending in the Circuit Court for St. Louis County, Missouri, Defendant Falcon is charged with four counts of statutory sodomy 2nd degree and two counts of furnishing pornographic material to a minor. No bond is allowed on this pending Missouri state case. The Defendant moved for a bond reduction, which was denied in September of 2024. The juvenile victim in this pending Missouri state case is also the victim of the present federal indictment.

The investigation giving rise to the present federal indictment began when the father of a fifteen-year-old juvenile reported prurient communications over the social media application Instagram between Defendant Falcon and his minor daughter. During the investigation, Defendant Falcon was interviewed by St. Ann detectives and Defendant Falcon admitted he had known the juvenile victim since she was about six years of age and that he knew she was a juvenile. Defendant Falcon further admitted sexually abusing the juvenile victim on multiple occasions.

Previously, on or about October 28, 2021, the Defendant was arrested by St. Louis County Police Department due to a report of statutory sodomy and child molestation involving a different juvenile victim than the juvenile victim of the present federal indictment and pending Missouri state charges. This arrest was the result of a middle school student reporting in September of 2019, that Defendant Falcon sexually abused her. The juvenile disclosed that Defendant Falcon sexually abused her starting when she was in the third grade. No charges stemmed from this investigation.

Based on the foregoing, the Government believes that there is clear and convincing evidence that the Defendant presents a danger to children in our community and children he can exploit via the internet. The Government further submits that the Defendant is a flight risk. Wherefore, the Government respectfully requests this Court order the Defendant be detained prior to trial.

Respectfully submitted,

SAYLER A. FLEMING
UNITED STATES ATTORNEY

/s/ Jillian S. Anderson

JILLIAN S. ANDERSON
Assistant United States Attorney
111 S. 10th Street, Room 20.333
St. Louis, Missouri 63102
(314) 539-2200
(314) 539-2309 FAX
jillian.anderson@usdoj.gov